

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEAN MPOULI,

Defendant.

CASE NO. CR19-0072-JCC

ORDER

This matter comes before the Court *sua sponte*. This case is currently scheduled for trial on October 13, 2020. (Dkt. No. 31.)

Over the past six months, the COVID-19 pandemic has significantly impacted the Court's operations. (*See* General Orders 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20 each of which the Court incorporates by reference.) Specifically, the pandemic has rendered the Court unable to obtain an adequate spectrum of jurors to represent a fair cross section of the community, and public health guidance has impacted the ability of jurors, witnesses, counsel, and Court staff to be present in the courtroom. (*See generally id.*) While conditions have improved, the Court does not anticipate that the pandemic's impacts will sufficiently resolve in the near term to conduct Defendant's trial.

Accordingly, the Court now FINDS the ends of justice served by extending the trial to March 15, 2021 and that this outweighs Defendant's and the public's best interests to a speedy

trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

1. In light of the recommendations made by the Centers for Disease Control and Prevention and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of COVID-19, as well as the lack of personal protective equipment necessary to ensure the health and safety of all participants, it is not possible to proceed with a jury trial on October 13, 2020. *See* W.D. Wash. Gen. Orders Nos. 02-20, 13-20, 15-20; 18 U.S.C. § 3161(h)(7)(B)(i).
2. The COVID-19 pandemic has rendered the Court unable to obtain an adequate spectrum of jurors to represent a fair cross section of the community, which would likely make proceeding prior to March 15, 2021 impossible or, at a minimum, would result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
3. Public health guidance has impacted the ability of jurors, witnesses, counsel, and Court staff to be present in the courtroom. Therefore, proceeding prior to March 15, 2021 would likely be impossible. *See* 18 U.S.C. § 3161(h)(7)(B)(i).

Accordingly, the Court ORDERS:

1. Trial in this matter is CONTINUED to March 15, 2021.
2. The period from the date of this order to the new trial date, March 15, 2021 is an excludable time period under 18 U.S.C. section 3161(h)(7)(A).

DATED this 5th day of October 2020.

A handwritten signature in black ink, appearing to read "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE